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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY 
DEPUTY

13 Attorneys for Plaintiff

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15 UNITED STATES DISTRICT COURT
16 SOUTHERN DISTRICT OF CALIFORNIA

17 OAKLEY, INC., a Washington
18 Corporation,

) Case No.: **10CV0338** MMA RBB
) NOTICE OF RELATED CASES

19 Plaintiff,

20 vs.

21 NY EYEWEAR TRADING, INC.,
22 A New York corporation,

23 Defendant.

24 Plaintiff Oakley, Inc., pursuant to Local Rule 40.1, hereby notifies the Court
25 and Defendant NY Eyewear Trading, Inc. that the subject matter of this case is
26 related to the following actions. However, counsel does not believe that
27 assignment to any particular judge would prove to be judicially economical, as the
28

1 merits and issues underlying this case are different and no substantial rulings from
2 the other cases would appear to govern in this case.

3 1. Civil Action No. 09 CV 2615 W (CAB) filed 11/19/09

4 United States District Court, Southern District of California

5 Oakley, Inc. v. Pepper's Performance Eyewear, Inc. dba Chili's
6 EyeGear

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
8 U.S. Patent Nos. 5,054,903, 5,387,949, and 5,137,342, in a case alleging patent
9 infringement by an accused product that is similar to the accused product in this
10 case.

11 2. Civil Action No. SACV09-01285 CJC (RNBx) filed 11/5/09

12 U.S. District Court, Central District of California

13 Oakley, Inc. v. CTS Wholesale LLC dba Wholesale Discount
14 Sunglasses

15 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
16 U.S. Patent No. 5,387,949 in a case alleging patent infringement by an accused
17 product that is similar to the accused product in this case.

18 3. Civil Action No. 09CV2333 IEG BLM filed 10/20/09

19 United States District Court, Southern District of California

20 Oakley, Inc. v. Mountain Shades, Inc. dba Optic Nerve
21 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
22 U.S. Patent No. 5,387,949 in a case alleging patent infringement by an accused
23 product that is similar to the accused product in this case.

24 4. Civil Action No. 09CV 2037 JVS JMA filed 9/17/09

25 United States District Court, Southern District of California

26 Oakley, Inc. v. Ryders Eyewear

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
2 U.S. Patent No. 5,387,949 in a case alleging patent infringement by an accused
3 product that is similar to the accused product in this case.

4 5. Civil Action No. 09CV1739 JAH WMc filed 8/10/09

5 United States District Court, Southern District of California
6 Oakley, Inc. v. Pyramex Safety Products LLC

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
8 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused
9 product that is similar to the accused product in this case.

10 6. Civil Action No. 09CV1616 JLS POR filed 7/24/09

11 United States District Court, Southern District of California
12 Oakley, Inc. v. Smith & Wesson Corp.

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
14 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused
15 product that is similar to the accused product in this case.

16 7. Civil Action No. 09CV1491 W JMA filed 7/9/09

17 United States District Court, Southern District of California
18 Oakley, Inc. v. Marsalle, Inc. dba New York Shades dba NYS
19 Collection and Sunglass Plus

20 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
21 U.S. Patent Nos. 5,387,949, D581,443, and 5,054,903 in a case alleging patent
22 infringement by an accused product that is similar to the accused product in this
23 case.

24 8. Civil Action No. 09CV1120 L BLM filed 5/22/09

25 United States District Court, Southern District of California
26 Oakley, Inc. v. Evike.com Co. and T H Sunglass Corporation

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
2 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused
3 product that is similar to the accused product in this case.

4 9. Civil Action No. CV09-03037 GW (VBKx) filed 04/30/2009
5 United States District Court, Central District of California
6 Oakley, Inc. v. Pacific Link Trade USA, et al.

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
8 U.S. Patent Nos. 5,387,949 and D415,188 in a case alleging patent infringement by
9 an accused product that is similar to the accused product in this case.

10 10. Civil Action No. 09 CV 0808 WQH NLS filed 04/17/2009
11 United States District Court, Southern District of California
12 Oakley, Inc. v. Bushnell, Inc.

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
14 U.S. Patent Nos. 5,137,342 and 5,387,949, in a case alleging patent infringement
15 by an accused product that is similar to the accused product in this case.

16 11. Civil Action No. 08 CV 1457 JAH (JMA) filed 8/11/2008
17 United States District Court, Southern District of California
18 Oakley, Inc. v. Big 5 Corporation and Style Eyes Optics

19 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
20 U.S. Patent No. 5,387,949, in a patent infringement case with an accused product
21 that is similar with the accused product in this case. Magistrate Judge Adler
22 became familiar with the asserted technology and claims during the ENE process.

23 12. Civil Action No. 07 CV 1980 BEN (LAB) filed 10/12/2007
24 United States District Court, Southern District of California
25 Oakley, Inc. v. Wild Oats Markets, Inc. dba Henrys Farmers Market
26 and Zoom Eyeworks, Inc.

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
2 U.S. Patent No. 5,137,342 in a case involving patent infringement by an accused
3 product that is similar to the accused product in this case.

4 13. Civil Action No. SACV 07-1194 AG (RNBx) filed 10/09/2007

5 United States District Court, Central District of California

6 Oakley, Inc. v. UnderArmour, Inc. and EyeKing, LLC

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
8 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused
9 product that is similar to the accused product in this case.

10 14. Civil Action No. 07 1153 AHS (PJWx) filed 09/28/2007

11 United States District Court, Central District of California

12 Oakley, Inc. v. Zeal Optics, Inc.

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
14 U.S. Patent No. 5,387,949, in a case alleging patent infringement by an accused
15 product that is similar to the accused product in this case.

16 15. Civil Action No. SACV 07-1253 AHS (MLGx) filed 02/23/2007

17 United States District Court, Central District of California

18 Oakley, Inc. v. O O Sunglass, Inc., Kingpes Trading Co., Inc., Good
19 Bond Industrial Corporation, Steven Carter and Janice Carter

20 This action involves the Plaintiff, Oakley, Inc., and the same patents in suit,
21 U.S. Patent No. 5,054,903 in a case alleging patent infringement by an accused
22 product that is similar to the accused product in this case. The case is stayed after
23 default was entered as the defendants filed bankruptcy.

24 16. Civil Action No. SACV 06-2321 AHS (ANx) filed 04/17/2006

25 United States District Court, Central District of California

26 Oakley, Inc. v. Asia Pacific Trading Co., Inc.

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
2 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused
3 product that is similar to the accused product in this case.

4 17. Civil Action No. 06 CV 0829 J (RBB) filed 04/10/2006
5 United States District Court, Southern District of California
6 Oakley, Inc. v. Aearo Company

7 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,
8 U.S. Patent Nos. 5,137,342 and 5,054,903 in a case alleging patent infringement by
9 an accused product that is similar to the accused product in this case.

10 18. Civil Action No. 06 CV 0704 H (NLS) filed 04/03/2006
11 United States District Court, Southern District of California
12 Oakley, Inc. v. Norris Mahoney, Inc. dba Solarex Sunglass

13 Collections

14 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
15 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused
16 product that is similar to the accused product in this case.

17 19. Civil Action No. SACV 05-0843 AHS (ANx) filed 08/30/2005
18 United States District Court, Central District of California
19 Oakley, Inc. v. Jay-Y Enterprises Co.

20 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
21 U.S. Patent Nos. 5,137,342 and D415,188 in a case alleging patent infringement by
22 an accused product that is similar to the accused product in this case.

23 20. Civil Action No. 05 CV 1336 B (JMA) filed 06/30/2005
24 United States District Court, Southern District of California
25 Oakley, Inc. v. United Parcel Service, Inc.

26 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
27 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused
28 product that is similar to the accused product in this case.

21. Civil Action No. SACV 05-0219 AHS (MLGx) filed 03/07/2005
United States District Court, Central District of California
Oakley, Inc. v. Spy Optic, Inc. and Orange 21

This action involved the Plaintiff, Oakley, Inc., and the same patents in suit, U.S. Patent Nos. 5,137,342 and 5,054,903 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

22. Civil Action No. 04 CV 1379 WQH (POR) filed 07/09/2004
United States District Court, Southern District of California
Oakley, Inc. v. Joe Werb (Amazing Replicas.com)

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

23. Civil Action No. 04 CV 1015 IEG (BLM) filed 05/18/2004
United States District Court, Southern District of California
Oakley, Inc. v. Target Corporation, et al.

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

24. Civil Action No. 03 CV 2486 IEG (BLM) filed 12/11/2003
United States District Court, Southern District of California
Oakley, Inc. v. Daniel Weilacher, The BestReplicas.com, United

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent Nos. D470,166 and 5,137,342 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

25. Civil Action No. 03 CV 2189 IEG (LSP) filed 11/06/2003
United States District Court, Southern District of California
Oakley, Inc. v. Trio Brothers Trading USA

1 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
2 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused
3 product that is similar to the accused product in this case.

4 26. Civil Action No. 03 CV 1783 JM (JAH) filed 09/05/2003
5 United States District Court, Southern District of California
6 Oakley, Inc. v. Del Sol LLC

7 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
8 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused
9 product that is similar to the accused product in this case.

10 27. Civil Action No. 02 CV 2528 L (RBB) filed 12/23/2002
11 United States District Court, Southern District of California
12 Oakley, Inc. v. H.L. Bouton Company

13 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
14 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused
15 product that is similar to the accused product in this case.

16 28. Civil Action No. 02 CV 0189 BTM (AJB) filed 09/20/2002
17 United States District Court, Southern District of California
18 Oakley, Inc. v. KCP Wholesale Distributors

19 This action involved the Plaintiff, Oakley, Inc., and the same patent in suit,
20 U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused
21 product that is similar to the accused product in this case.

22 29. Civil Action No. 02 CV 1863 IEG (JES) filed 09/18/2002
23 United States District Court, Southern District of California
24 Oakley, Inc. v. Crews, Inc. and Applied Industrial Technologies

25 This action involved the Plaintiff, Oakley, Inc., and the same patents in suit,
26 U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused
27 product that is similar to the accused product in this case.
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30. Civil Action No. 01 CV 1486 K (JAH) filed 08/16/2001
United States District Court, Southern District of California
Oakley, Inc. v. Replicawarehouse.com, United Research, Daniel

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

31. Civil Action No. SACV 01-0806 AHS (ANx) filed 07/18/2001
United States District Court, Central District of California
Oakley, Inc. v. Wilson Sporting Goods

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

32. Civil Action No. 01 CV 1078 J (RBB) filed 06/15/2001
United States District Court, Southern District of California
Oakley, Inc. v. Keith Mecham dba Epic Apparel

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

33. Civil Action No. 00 CV 2523 JM (AJB) filed 11/17/2000
United States District Court, Southern District of California
Oakley, Inc. v. Richard Wilton

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

34. Civil Action No. 00 CV 1882 K (RBB) filed 09/20/2000
United States District Court, Southern District of California
Oakley, Inc. v. Sunshine Tropics and Lino Doe

This action involved the Plaintiff, Oakley, Inc., and the same patents in suit, U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

35. Civil Action No. 00 CV 1317 JM (POR) filed 06/30/2000
United States District Court, Southern District of California
Oakley, Inc. v. Ashley Murray dba The Gift Zone and Dawn Murray

This action involved the Plaintiff, Oakley, Inc., and the same patents in suit, U.S. Patent Nos. 5,137,342 and 5,054,903 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

36. Civil Action No. SACV 00-0620 AHS (EEx) filed 06/23/2000
United States District Court, Central District of California
Oakley, Inc. v. Asia Pacific Trading Co., Inc.

This action involved the Plaintiff, Oakley, Inc., and the same patents in suit, U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

37. Civil Action No. SACV 00-0586 AHS (ANx) filed 06/14/2000
United States District Court, Central District of California
Oakley, Inc. v. Martini Eyewear: Newport Beach Sunglass Company;

Gary Young and Gary Young dba sunglassessales.com and dba koolshades.com

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342 in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

38. Civil Action No. 00 CV 1010 BTM (JFS) filed 05/18/2000
United States District Court, Southern District of California
Oakley, Inc. v. Pacific Sunwear of California, Inc. and Sungold
Eyewear, Inc.

This action involved the Plaintiff, Oakley, Inc., and the same patent in suit, U.S. Patent No. 5,137,342, in a case alleging patent infringement by an accused product that is similar to the accused product in this case.

DATED: February 10 2010 WEEKS, KAUFMAN, NELSON & JOHNSON

Mel. Weller

CHANDLER G. WEEKS

Attorney for Plaintiff, Oakley, Inc.